

PUBLIC CHAPTER NO. 862**HOUSE BILL NO. 3322****By Representatives Brown, Cooper, Hardaway****Substituted for: Senate Bill No. 3306****By Senators Burks, Marrero**

AN ACT to amend Tennessee Code Annotated, Title 49, relative to education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-50-1203, is amended by deleting the section in its entirety and by substituting instead the following language:

(a) For each academic year, art supplies purchased by any school or school district for use by students in kindergarten (K) and grades one through six (1-6) shall be certified non-toxic by the Arts and Creative Materials Institute (ACMI) and shall bear the Approved Product (AP) or Certified Product (CP) seal certifying that the product is safe and contains no materials in sufficient quantities to be toxic or injurious to children.

(b) At the request of the commissioner of education, the commissioner of agriculture shall examine any art supply purchased by an LEA for unsafe levels of lead.

SECTION 2. Tennessee Code Annotated, Section 49-50-1204, is amended by deleting the section in its entirety and by substituting instead the following language:

(a) The commissioner of education shall make access to the list of art supplies that are certified non-toxic by the Arts and Creative Materials Institute (ACMI) available to all school districts in Tennessee, and shall make the list available to preschools, childcare centers, and other businesses and organizations which involve children in the use of art supplies.

(b) The commissioner of education shall inform school districts of the requirements of this part, and shall encourage school districts to dispose of art supplies which do not bear the Approved Product (AP) or Certified Product (CP) seal certifying that the product is safe and contains no materials in sufficient quantities to be toxic or injurious to children.

(c) The commissioner of education shall post on the web site of the department appropriate resources for identifying whether a product is certified non-toxic by the Arts and Creative Materials Institute (ACMI) and other information concerning the safety of art supplies as deemed appropriate by the commissioner.

SECTION 3. This act shall take effect July 1, 2008, the public welfare requiring it.

PASSED: April 24, 2008


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


RON RAMSEY, SPEAKER
SENATE OF THE SENATE

APPROVED this 6th day of May 2008


PHIL BREDESEN, GOVERNOR